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***Attorneys for Defendant-Intervenors Spring Creek Coal LLC***  
***and Great Northern Properties Limited Partnership***

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF MONTANA**

**HELENA DIVISION**

<b>MONTANA ENVIRONMENTAL</b>	)	<b>CV 12-34-H-DLC</b>
<b>INFORMATION CENTER, and SIERRA</b>	)	
<b>CLUB,</b>	)	
	)	<b>MOTION FOR ADMISSION</b>
<b>Plaintiffs,</b>	)	<b><i>PRO HAC VICE</i> OF</b>
	)	<b>ANDREW C. EMRICH</b>
<b>v.</b>	)	
	)	
<b>RICHARD OPPER, in his official capacity</b>	)	
<b>as Director of the Montana Department of</b>	)	
<b>Environmental Quality,</b>	)	
	)	
<b>Defendant,</b>	)	

and )  
)  
)  
**CROW TRIBE OF INDIANS;** )  
**INTERNATIONAL UNION OF** )  
**OPERATING ENGINEERS, LOCAL** )  
**400; WESTERN ENERGY COMPANY;** )  
**WESTMORELAND RESOURCES, INC.;** )  
**SPRING CREEK COAL COMPANY,** )  
**LLC; NATURAL RESOURCE** )  
**PARTNERS L.P.; and GREAT** )  
**NORTHERN PROPERTIES LIMITED** )  
**PARTNERSHIP,** )  
)

**Defendant-Intervenors.**

Pursuant to Local Rule 83.1(d), the undersigned respectfully moves this Court for an order admitting Andrew C. Emrich *pro hac vice* to participate in this case.

I agree to act as local counsel and perform the duties set forth in Local Rule 83.1(d)(5).

Pursuant to Local Rule 83.1(d)(3), attached to this motion is the Affidavit of Andrew C. Emrich.

Dated this 24th day of October, 2012.

/s/ William W. Mercer

William W. Mercer  
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Coal LLC and Great Northern Properties Limited  
Partnership*

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and Great Northern Properties Limited Partnership*

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

HELENA DIVISION

MONTANA ENVIRONMENTAL  
INFORMATION CENTER, and SIERRA  
CLUB,

Plaintiffs,

v.

RICHARD OPPER, in his official capacity  
as Director of the Montana Department of  
Environmental Quality,

Defendant,

) CV 12-34-H-DLC

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AFFIDAVIT IN SUPPORT  
OF MOTION FOR  
ADMISSION *PRO HAC*  
*VICE* OF ANDREW C.  
EMRICH

and )  
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 )  
**CROW TRIBE OF INDIANS;** )  
**INTERNATIONAL UNION OF** )  
**OPERATING ENGINEERS, LOCAL** )  
**400; WESTERN ENERGY COMPANY;** )  
**WESTMORELAND RESOURCES, INC.;** )  
**SPRING CREEK COAL COMPANY,** )  
**LLC; NATURAL RESOURCE** )  
**PARTNERS L.P.; and GREAT** )  
**NORTHERN PROPERTIES LIMITED** )  
**PARTNERSHIP,** )  
 )

**Defendant-Intervenors.**

STATE OF WYOMING )  
 ) ss.  
 COUNTY OF LARAMIE )

Andrew C. Emrich, being first duly sworn upon oath, deposes and says:

1. I am one of the attorneys for Defendant-Intervenors Spring Creek Coal LLC, and Great Northern Properties Limited Partnership in this matter.
2. I live and practice in the State of Wyoming. I practice with the firm Holland & Hart LLP, located at 2515 Warren Avenue, Suite 450, Cheyenne, Wyoming 82001.
3. I was admitted to practice in the following courts on the following dates:

Court	Admission Date
Wyoming Supreme Court	May 20, 2006

U.S. District Court for the District of Wyoming	May 17, 2006
Colorado Supreme Court	October 21, 1996
U.S. District Court for the District of Colorado	October 8, 2008
United States Supreme Court	September 3, 2004
U.S. Court of Appeals for the Ninth Circuit	November 23, 2001
U.S. Court of Appeals for the Tenth Circuit	July 15, 2005
U.S. Court of Appeals for the D. C. Circuit	March 22, 2004

4. I am in good standing and eligible to practice in the above-referenced courts.

5. I am not currently suspended or disbarred in any other court.

6. I have never been held in contempt, otherwise disciplined by any court for disobedience to its rules or orders, or sanctioned under Federal Rules of Civil Procedure 11 or 37(b), (c), (d) or (g) or their state equivalent.

7. I have not made an application for admission *pro hac vice* to this Court within the preceding two years.

8. I understand that *pro hac vice* admission in this Court would be personal to me only and not the admission of Holland & Hart LLP. I also understand that the Court will hold me fully accountable for the conduct of this litigation.

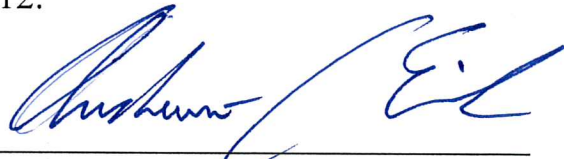
9. Montana counsel for Defendant-Intervenors Spring Creek Coal LLC, and Great Northern Properties Limited Partnership in this matter is:

William W. Mercer  
Holland & Hart LLP  
P.O. Box 639  
Billings, MT 59103-0639  
Telephone: (406) 252-2166

10. Mr. Mercer is a member of the bar of this Court and consents to designation as the attorney and member of the bar of this Court with whom the Court and opposing counsel may readily communicate regarding the conduct of the case and upon whom papers may be served under the terms of L.R. 83.1(d)(5).

11. I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated this 23<sup>rd</sup> day of October, 2012.

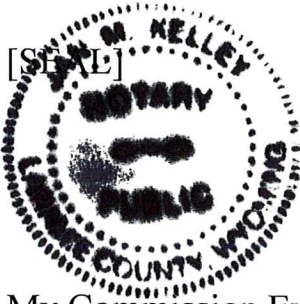


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Andrew C. Emrich

I, Jan M. Kelley, a Notary Public, do hereby certify that on this 23<sup>rd</sup> day of October, 2012, Andrew C. Emrich personally appeared before me, who, being first duly sworn by me, declared that he read and signed the foregoing Affidavit and that the statements therein contained are true.

In witness whereof, I have hereunto set my hand and seal this 23<sup>rd</sup> day of October, 2012.



Jan M. Kelley  
Notary Public

My Commission Expires: 6/19/2014